G. R. S. App. F. IX-4]

1942-

File No. 252-42

Serial Nos. 1-2

Previous References.

H-55-42-1-2
" 267-27-1-7

(Forest)

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for Nov. 43

SUBJECT.

Management of Kalasa Sandal Lands.

Vi 8/E1

To,
The Conservator
No. A.F. 18005/25-10/43
Assistant Conservation

Ft 252-42-1

MYSORE FOREST DEPARTMENT.

No. S.287-1007/39.
Encl. one.

CHIEF CONSERVATOR'S OFFICE,

Bangalore, dated.....May.....19 43

FROM

C. ABDUL JABBAR, Esq., B.A.,
Chief Conservator of Forests in Mysore,
Bangalore.

To

N.Madhava Rao, Esq., B.A.,
Secretary to the Government
of H. H. the Maharaja of Mysore,
General Department, *Bangalore.*

7 MAY 1943

7 MAY 1943

Sir,

RE:- Management of Kalasa Inam Lands.

I have the honour to state that five forest blocks of the Sri Kalaseswaraswami Temple Inam in the Mudigere Taluk are under the management of the Forest Department for over 14 years. These blocks were notified under Section 35(iii) of the Mysore Forest Regulation in G.O.No.G.10189-91/Ft.267-27-2 dated the 6th March 1928. Subsequently, on the same analogy the Biligiri Rangan Hills Temple forests, which were also taken over for Departmental management were notified under section 35(iii) in G.O.No.A.F.1923-Ft.55-42-2 dated 21st September 1942.

As per provisions, only lands at the disposal of Government could be brought under Sec.35(iii). The Kalasa Inam and the Biligiri Rangan Forests cannot be construed as lands at the disposal of Government on the mere ground that they are Government Muzrai Institutions. They are forests endowed to the temples and now taken over for management by the Forest Department. As such it would be more appropriate if the notification is issued under section 36(d) simultaneously applying the provisions of chapters II and IV of the Forest Act and the rules

P.T.O.

issued thereunder for regulating management.

In order that the legal position may be defined correctly, I am enclosing herewith a revised notification of the blocks, which may kindly be caused to be approved and notified.

I have the honour to be,
Sir,
Your most obedient servant,

Chief Conservator of Forests.

3 8799 Pt 4

(3) This is a question of exchange of procedure in vogue. The Law Section may perhaps be consulted as to the views expressed by the C.C.J. The question is about 'land at ~~issue~~ the disposal of Govt' and 'land in which Govt and any person or persons are jointly interested'.

GENERAL SECRETARIAT
19 MAY 1943
7932

(4) Gl Secy)

(5) For favour of opinion

Law Sec

SECY. LAW DEPT
14078
2665

8799

Continuation Sheet. File No. / Current No. 1051 of Page. 5

(6) The lands ~~being endowments~~ in question are endowments of the Temple & as such, they are not lands at the disposal of Govt. When the said lands are endowed to the Temple, & Govt. also retains any interest therein, then clause 36(d) of the Forest Act is applicable. As the details of the merits of issue are not forthcoming, no definite opinion can be given.

Law Secretary. 3/6/43

3/6/43

Law
4-6-43

It is for orders if the file may be returned to the A & J. Section.

Xerox 5/6 (A & J section)

Cs 3
5/6

17905/10.6.43 M

1/5.6.43

(8) This will, if approved, be sent to the C.C. & U.M. to furnish full details regarding 258 of 10-6-43.

Yes. Hms 10/6/43

No objection has been conveyed & may be forwarded & with compliments to the chief Conservator of Forests for information & guidance. By order

10/6/43

for General Secy to Govt

SECY. LAW DEPT. 1155-D 1/6/43 GOVT OF MYSORE

17 JULY, 1943

(14) Refme paras 6, 9 & 13. There seems to be some difference of opinion between the R.C & the C.C.F. The Muz. Com's opinion which agrees with the Law Secy's opinion may perhaps be accepted & notification is made under Sec 36(d) of the Reserve Forest Act. Draft notification revised accordingly is subd for approval & consultation with the Muz. Law Department once again, if appd

28/8/43 BG

~~For want of details, the~~ Law Section has not given any definite opinion on 4.6.43. The views of the C.C.F & the Muz Comm. since obtained may be referred to the Law Section now for opinion before official orders are passed in the matter

(Secy)

Hms 24/8/43

Law Secy, with compts) 25/8 Hms

25/8

Submitted for orders with reference to para 14 supra

Kmll 26/8. Chief Conservator of Forests, Mysore.

26/8/43 Chief Conservator sees that Govt is also interested in the said Land Question with the People on the Nilgiris, the Notification as proposed by the C.C.F may issue, for it satisfies the principles embodied in Sec 36 of the Forest Act.

Law Secretary 3

31/8/43

please put up the Draft Notification

VD 1140—GDB—50,000—5-11-42

Com 30-8-43

D. Gopalan 30-8-43

Hms Law Secy 31/8/43

Act XI of 1900 / = Volume II of the Mysore Code

Kmll 26/8

GENERAL SECRETARIAT 24 AUG. 1943

1205

2111 28/8/43 Cus

Law Sec Hms 26/8/43.

SECY. LAW DEPT 2265 GOVT OF MYSORE

GENERAL SECRETARIAT 31 AUG. 1943

GENERAL SECRETARIAT 31 AUG. 1943

Eco No. 4/43-44
Dated 5-7-43

4081

5/7/

RETRANSMITTED WITH COMPLIMENTS:-

(9) The lands referred to in ~~their~~ this correspondence are endowed to the temples and Government in the Forest Department have retained no interest therein. However the Muzrai Commissioner may be consulted in the matter and if Government have not reserved any interest in these lands, Section 36(c) may be inserted in the draft notification already sent in lieu of 36D. The issue of such a notification is clearly necessary in view of the Law Secretary's opinion that the lands in question cannot be considered as " lands at the disposal of Government."

F. SECRETARY 7 JULY 1943

Chief Conservator of Forests.

7/7 Hms

1563/43-44

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

F 322/43-44 10

Submitted for perusal and orders.

Refer paras 6 to 8

Sec. (11) The Muzrai Commissioner will 8/7 if approved by Consulted.

GE Secy)

Hms 9.7.43

GENERAL SECRETARY 10 JULY 1943

Eco No 8 dt 12-7-43

Forwarded with compliments to the Muzrai Commissioner for opinion

10. 7. '43

Dewanchand GE Secy

(12) Returned with compliments.

(13) Though the forest lands are endowed to the temples, Government are interested in seeing that the object of the grant is being fulfilled; and that the Government dues ar being promptly recovered. In the circumstances, I think, that Section 36 (d) of the Forest Act is applicable in th case, as opined by the Law Secretary to Government, in pa 6, supra.

GENERAL SECRETARY 20 AUG. 1943

Hms

GEN SECT. 20 AUG. 1943

16th August 1943.

Muzrai Commissioner.

F-149-42-1

MYSORE FOREST DEPARTMENT.

2559/9

No. (F)85-624/40-41.
Encl.

CHIEF CONSERVATOR'S OFFICE.
Bangalore, dated 18th January 1943.

FROM

C. ABDUL JABBAR, ESQ., B.A.,
Chief Conservator of Forests in Mysore,
Bangalore.

To

M. Madhava Rao, Esq., B.A.,
Secretary to the Government of
H.H. the Maharaja of Mysore,
General Department, Bangalore.

GENERAL SECRETARIAT
19 JAN. 1943

Sir,

Adverting to Government Order No.G.4695/Ft.3-35-7 dated the 8th January 1934 sanctioning the lease of certain plots in Balur State Forest, Kadur Division for cardamom cultivation, I have the honour to state that one of the lessees viz., Mr. Vasanta of Halli Holegere Gutti, Banakal Hobli was granted only two acres of land in gomal survey number 222 of gutti village in Balur State Forest while the plot allotted to him actually measured five acres. On the execution of an agreement by him in May 1937 on a ten anna stamp paper, the entire plot measuring five acres was placed in his possession and he has been enjoying the same since then paying the annual assessment of Rs.1-4-0 per acre regularly. I request that sanction of Government may be kindly obtained for the excess grant of three acres made in this instance and the same communicated to me early.

I have the honour to be,
Sir,
Your most obedient servant,

Chief Conservator of Forests.

Draft notification will if approved be issued. For approval

mw. 31/8/43 (Secy) Jones 1.9.43

1.9.43

For perusal before issue

Minister I&S) Jones

Issue Jones

GENERAL SECRETARY 4 SEP. 1943 15-35

OFFICE OF THE MINISTER FOR INDUSTRIES & SUPPLIES SEP 6 1943 No. 1385

15 SEP. 1943 GEN. & REV. SECTT.

No To:- The Conservator

No. A.F. 1800 d 25-10-43

Notification as above

Copy to the C.C.F. and Conservator

No A.F. 1801 d 25-10-43.

Declares that the blocks noted in the Notification as Reserved Forests under Section 35 III of the Myson Forest Act of XI of 1900 shall be deemed to be forests Lotsen over for management by Govt in the Forest Department under Section 36D of the said Act.

BV

K-258-42-2

No. A.F. 1800/25.10.43

NOTIFICATION.

The Government of H.H. the Maharaja of Mysore declare that the undermentioned Blocks of Forests already notified as Reserved Forests under Section 35 iii of the Mysore Forest Act XI of 1900 shall be deemed to be forests taken over for management by Government in the Forest Department under Section 36D of the said Act and that all provisions of Chapter II and IV thereof and the rules made thereunder from time to time shall apply to those blocks.

The blocks will be under the management of the District Forest Officer and his staff of the respective Divisions in whose jurisdiction the blocks are situated.

1. Karimane Kalgode Block.	Notified in No.G.10193/Ft. 267-27-4 dated the 6th March 1928
2. Devarabetta Block 3. Mavinkere and Talagode blocks.	Notified in No.G.10192/Ft. 267-27-3 dated 6th March 1928.
4. Totodur Block	Notified in No.G.10195/Ft.267-27-6 dated 6th March 1928.
5. Balagi Block	Notified in No.G.10196/Ft. 267-27-7 dated 6th March 1928
6. Sri Biligirirangaswami Temple Reserve.	Notified in No.A.F.1922/Ft. 55-42-2 dated 21st September 1942.

Chief Conservator of Forests.

16/10/43

No. A.F. 1801/25-10/43.

By order

The Conservator
Copy to C.F.

Fwd. Secy to Govt.

23/8/43

1.9.43